

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Case No. 21-20756

Plaintiff,

HON. JUDITH E. LEVY

-VS-

D-1 JAMAR LEE-STINSON,

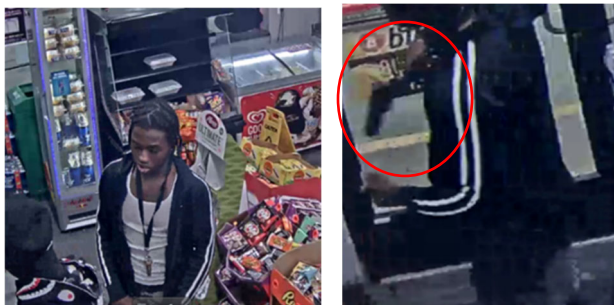
Defendant.

_____ /

GOVERNMENT’S SENTENCING MEMORANDUM

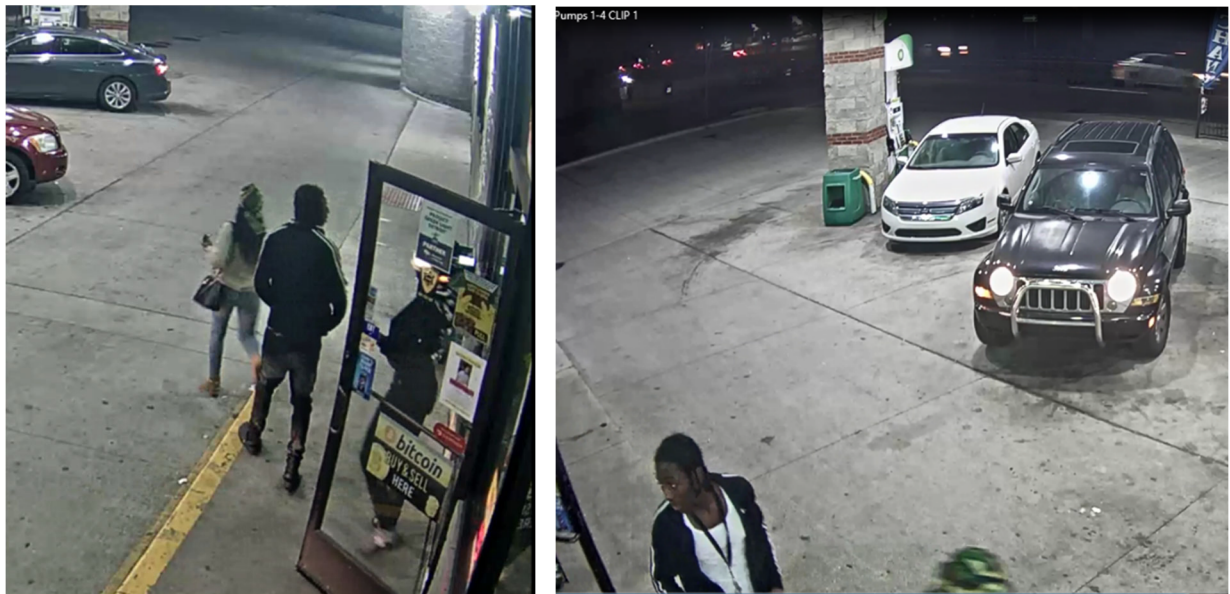
Factual and Procedural Background

On November 8, 2021, Jamar Lee-Stinson exited a Chevy Malibu (driven by Amiaya Bryant) and walked into a BP gas station on Eight Mile in Detroit. Lee-Stinson removed a gun from his waistband and placed it on the counter when three men entered the business.

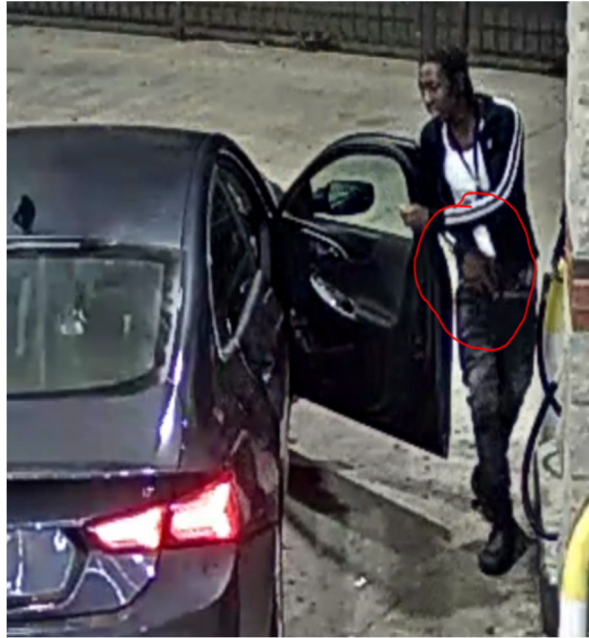


Jamar Lee-Stinson brandishing a firearm inside the BP gas station

One of the men uttered something to Lee-Stinson's group. Lee-Stinson exited the gas station with his two companions, and they strolled past a Jeep Liberty. A short time later, Lee-Stinson brandished his firearm and began firing at the Jeep Liberty parked at the gas pump. Lee-Stinson started shooting as soon as the three men walked towards the Liberty.

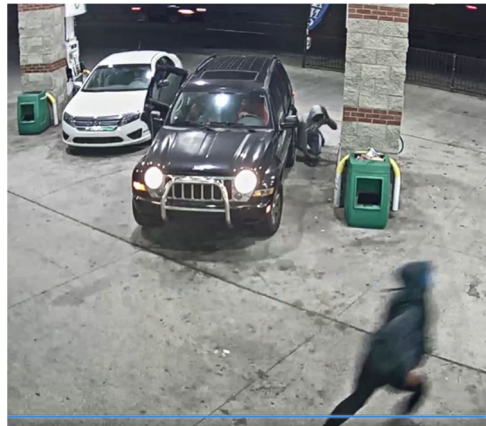


Lee-Stinson exiting the business and walking past the Jeep Liberty with Amiaya Bryant and another young man.



*Lee-Stinson brandishing a firearm
while standing outside of the Chevy Malibu*

The three men ducked for cover as Lee-Stinson fired multiple rounds from his .40 caliber pistol. Patrons were servicing the gas station at the time Lee-Stinson discharged his firearm. Surveillance video captured a customer fleeing as one of the occupants of the Liberty crawled on the ground. Lee-Stinson exited the Malibu and fired as he walked. The men in the Jeep Liberty never fired any shots.



Gas station patrons running for their lives as Lee-Stinson fired.

Lee-Stinson's male companion opened fire with his own pistol as well.

Law enforcement later recovered numerous shell casings from Lee-

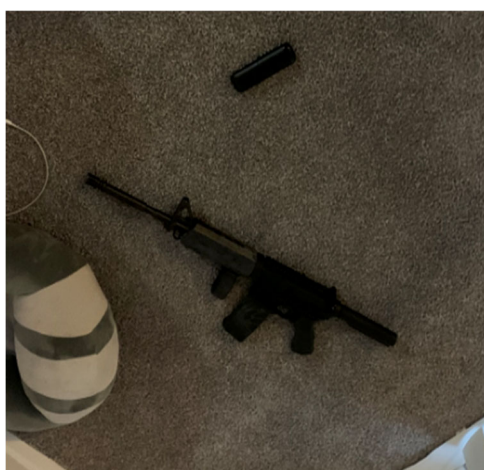
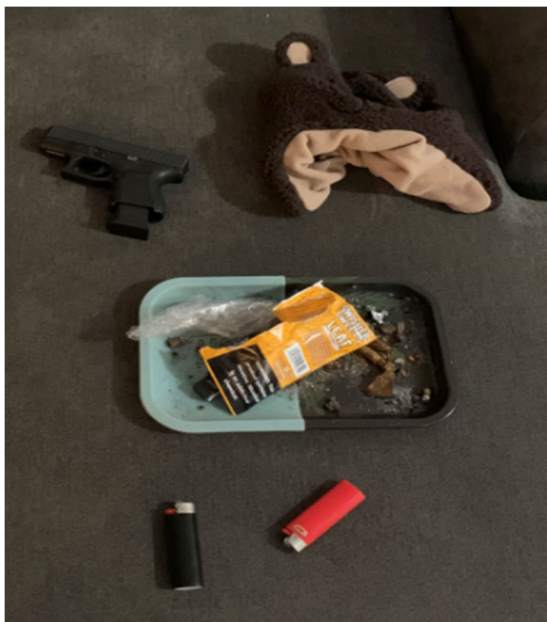
Stinson's .40 caliber pistol and his companion's 9mm handgun. At least

one of those shots hit a red car parked in between Lee-Stinson's Malibu (circled in red) and the Jeep Liberty.



Lee-Stinson went home after this attempted murder. He did not notify the police, nor did he return to the scene to determine whether he shot an innocent bystander. A police investigation ensued. Once Lee-Stinson was identified as the shooter, a search warrant was executed at his apartment in Southfield, Michigan. Lee-Stinson was inside the location when the police arrived on December 3, 2021. Officers recovered a

loaded 9mm pistol next to a tray of suspected marijuana, a loaded assault rifle, and a magazine containing twenty-six (26) rounds of ammunition. An extended magazine loaded with nineteen (19) rounds of .40 caliber ammunition was seized along with the black, striped jacket Lee-Stinson wore during the BP gas station shooting.







Additionally, the police found proof of residency and a photograph of Lee-Stinson posing with a firearm in his right hand. Lee-Stinson was arrested.



Lee-Stinson received and waived his Miranda rights. He identified himself in surveillance photos taken at the BP gas station. Lee-Stinson also admitted to handling and storing the assault rifle found in his apartment. Lee-Stinson acknowledged that he was prohibited from possessing firearms due to his September 30, 2021 conviction for carrying a concealed weapon – a five year felony offense. *See MCL 750.227*. On November 15, 2021, the Defendant received HYTA probation. Accordingly, Lee-Stinson was charged with being a felon in possession of ammunition stemming from the November 8, 2021 shooting at the BP gas station.

Lee-Stinson made his initial appearance in federal court and the government moved for detention. Magistrate Judge Patti ordered Lee-Stinson detained, after a hearing, based upon his extreme danger to the community. (*R. 9: Order of Detention*). Lee-Stinson was indicted nine days after his detention hearing for being a felon in possession of ammunition. (*R. 10: Indictment*). On September 13, 2022, Lee-Stinson entered a guilty plea pursuant to a Rule 11 Agreement before Magistrate Judge Altman. On September 28, 2022, Judge Levy accepted

the Report and Recommendation regarding Lee-Stinson's guilty plea to the indictment. Sentencing is scheduled for December 20, 2022.

ARGUMENT

A. The Sentencing Guidelines

The parties and the Probation Department agree that the total offense level -- after acceptance of responsibility -- is 24. Lee-Stinson has two criminal history points resulting in a criminal history category II. The parties and the Probation Department agree that the applicable guideline provisions result in a range of 57-71 months. *See USSG §2K2.1; 2X1.1(a); 2A2.1(a)(2).*

B. The Sentencing Reform Act

The Sentencing Reform Act requires every federal criminal sentence continue to reflect the values and factors set forth in § 3553(a) (2) which states:

(2) the need for the sentence imposed --

(A) to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense;

(B) to afford adequate deterrence to criminal conduct;

(C) to protect the public from further crimes of the defendant; and,

(D) to provide the defendant with needed educational or vocational training, medical care, or other correctional treatment in the most effective manner;

Although it is difficult to put a specific number to a value or idea, by distilling the collective wisdom of thousands of sentencing decisions and adding its own expertise the Sentencing Commission has done exactly that. The resulting ranges should not be disregarded lightly. In this case, as explained further below, no unusual or exceptional circumstances exist which have not already been contemplated by the Commission so as to warrant an exception to the preference for the defendant to receive a guideline sentence of 60 months. A sentence of 60 months is necessary to interrupt Lee-Stinson's relentless criminal acts, to protect the public from his propensity to shoot, and to deter him from further crimes that could get him or someone else killed.

C. The Seriousness of the Offense

On November 8, 2021, Jamar Lee-Stinson fired multiple shots in a gas station parking lot teeming with people and cars. He exhibited extremely poor judgment by possessing, brandishing, and discharging a

firearm – while on bond for a felony gun offense. Lee-Stinson ambushed three men he encountered at the BP gas station. As the surveillance video showed, Lee-Stinson and his group delayed their departure and waited for the men to exit the gas station. Lee-Stinson could have left the area immediately. Instead, Lee-Stinson remained at the scene and then fired at three men who never pointed or discharged any weapon towards him. Lee-Stinson recklessly fired across – and hit – a red car parked between Amiaya Bryant’s Chevy Malibu and the Jeep Liberty. He created an extremely chaotic and dangerous situation. It is a miracle that no one was injured or killed.

Sadly, this is not Lee-Stinson’s only involvement with guns. On January 31, 2021, Detroit Police officers found the Defendant in possession of a 9mm firearm while inside a Marathon gas station. Lee-Stinson also had a magazine loaded with 31 rounds of ammunition in his pocket. *PSR* ¶36. On December 3, 2021, the police recovered a loaded 9mm pistol, a loaded assault rifle, and a magazine containing twenty-six (26) rounds of ammunition from Lee-Stinson’s apartment. Law enforcement also discovered a photograph of the Defendant holding a

gun. These three incidents occurred in less than one year. Mr. Lee-Stinson has completely lost his way.

D. Adequate Deterrence / Protecting the Public

Jamar Lee-Stinson is a young man with a troubling background.

Through no fault of his own, he endured significant childhood trauma which resulted in his placement in foster care and juvenile facilities.

The government suspects that his extreme anger and risky behavior stems from his abandonment and exposure to shooting, drug sales, and gang violence. *PSR* ¶45. Lee-Stinson received counseling but it has had little impact on his behavior. In 2018, Lee-Stinson was arrested in a stolen vehicle. He received probation and was discharged on August 27, 2020. *PSR* ¶35. Five months later, he committed his first felony as an adult when he possessed a firearm inside a gas station. *PSR* ¶36. Lee-Stinson was on bond for that offense when he shot up a gas station in November, 2021. The Defendant has cycled in and out of custody.

Though he has been arrested, charged, convicted, and jailed several times, Lee-Stinson remains undeterred. The Defendant has now been indicted for another shooting during a carjacking. On November 14,

2021, Lee-Stinson and three others arrived near the intersection of Livernois and Puritan. Lee-Stinson exited a Chevy Malibu (the same car involved in the shooting at the BP gas station) and brandished a firearm at the occupants of a Kia Soul. Lee-Stinson and his companions pulled a young woman from the driver's seat and they ordered her male companion out of the vehicle. The group started shooting – firing over forty (40) rounds at the victims as they ran for their lives. The male passenger was struck in the buttocks. The victim needed a transfusion because he lost so much blood. Lee-Stinson entered the Kia Soul and drove off in tandem with the Chevy Malibu driven by his co-defendant Amiaya Bryant. (*Case Number 22-20505*).



Shell casings from weapons fired at the carjacking victims on November 14, 2021.

Lee-Stinson's crimes have escalated in type, number, and violence. Counseling, intervention by Child Protective Services, juvenile court, and state court have not curbed his behavior. Given Lee-Stinson's chronic and uninterrupted recidivism, the Defendant is highly likely to commit additional crimes. Accordingly, Lee-Stinson must be removed from society to deter him and to protect the public against his future criminal acts. This is the chief reason why the government is requesting a sentence of 60 months.

E. Educational / Vocational Training / Treatment

The Defendant has completed high school. This is a significant accomplishment. Hopefully, Lee-Stinson can focus on and truly invest in counseling and treatment to address his substance abuse and childhood trauma. It appears Lee-Stinson has been medicating himself with marijuana, alcohol, and pills to numb his pain. *PSR ¶¶51-52*. This is unsurprising, but it is a poor coping mechanism which will only bring more negative consequences. Therefore, a sentence is warranted to provide the Defendant an opportunity to gain insight on why he continues to risk, and waste, his life by engaging in such violent and

dangerous conduct. Through counseling, Lee-Stinson can receive the tools he needs to change his behavior and increase his self-esteem.

Finally, if available, the Defendant should attend parenting classes. He is a father to one child. *PSR* ¶46. Parenting classes can assist him in learning how to remain physically and emotionally present in his life.

CONCLUSION

For the reasons outlined above, the United States respectfully requests that the Court sentence Defendant Lee-Stinson to 60 months.

Respectfully submitted,

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United States Attorney

s/ Jeanine Brunson

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Date: December 12, 2022

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2022, I electronically filed the foregoing document with the Clerk of the Court using the ECF system which will send notice to the following ECF participant:

Daniel Dena, Esq.
daniel_dena@fd.org